

2013 DRAFTING REQUEST

Bill

Received: 7/18/2013 Received By: phurley
Wanted: As time permits Same as LRB:
For: Dean Kaufert (608) 266-5719 By/Representing: Adam
May Contact: Drafter: phurley
Subject: Justice - civil Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Kaufert@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Alert system in DOJ regarding missing adults at risk

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	phurley 7/18/2013	scalvin 7/19/2013	jfrantze 7/19/2013	_____			
/1				_____	lparisi 7/19/2013	mbarman 10/11/2013	State S&L

FE Sent For:

at
intro

<END>

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/?	phurley	/1 sac 07/19/2013		9/19			

FE Sent For:

<END>

Hurley, Peggy

From: Wagnitz, John
Sent: Thursday, July 18, 2013 4:42 PM
To: Hurley, Peggy
Subject: FW: Co-sponsorship of LRB 2564/1; relating to an alert system for missing adults at risk, also known as 'Silver Alert'

Hi Peggy,

Can you please draft an assembly companion to LRB 2564/1 for Rep. Kaufert?

Please contact me if you have any questions.

Thank you,

John Wagnitz
Office of State Senator Dave Hansen
106 South, State Capitol
phone: (608) 266-5670

From: Sen.Hansen
Sent: Tuesday, July 16, 2013 2:02 PM
To: *Legislative Senate Democrats; *Legislative Senate Republicans; *Legislative Assembly Democrats; *Legislative Assembly Republicans
Subject: FW: Co-sponsorship of LRB 2564/1; relating to an alert system for missing adults at risk, also known as 'Silver Alert'

A copy of the bill draft included



13-2564_1.pdf

From: Sen.Hansen
Sent: Tuesday, July 16, 2013 1:26 PM
To: *Legislative Senate Democrats; *Legislative Senate Republicans; *Legislative Assembly Democrats; *Legislative Assembly Republicans
Subject: Co-sponsorship of LRB 2564/1; relating to an alert system for missing adults at risk, also known as 'Silver Alert'

To: All Legislators

From: Sen. Dave Hansen

Date: 7/16/13

Re: Co-sponsorship of LRB 2564/1; relating to an alert system for missing adults at risk and reports to law enforcement regarding missing persons, often referred to as a 'Silver Alert'

Deadline: If you would like to co-sponsor this legislation please reply to this email before 5:00 p.m. Thursday July 25th.

I have drafted this legislation in response to a recent incident involving an elderly couple from my district. Leo and Claire Baeb became disoriented while driving to visit relatives in Green Bay from their home in Oconto County. The couple became disoriented and spent hours on unfamiliar roads before they were found. After a frantic day for their family members they were finally located in West Bend and returned to their home.

One of their daughters is a former student of mine and currently resides in Florida. She and other family members believe that Leo and Claire could have been found much earlier if Wisconsin had a Silver Alert program like the one which has proven to be so effective in Florida. Silver Alert programs operate similar to the very successful Amber Alert program. There are currently 22 states which operate a Silver Alert program and another nine which operate something similar. If you would like to add Wisconsin to the list of states which operate a Senior Alert program I would ask that you please add your name as a cosponsor to this proposed legislation

Analysis by the Legislative Reference Bureau

The Department of Justice (DOJ) currently administers the Amber Alert System, under which it works with law enforcement agencies, broadcasters, and others to disseminate information regarding certain missing child cases. This bill creates a statutory requirement that DOJ administer an alert system to disseminate information regarding missing adults who are cognitively impaired if a law enforcement agency notifies DOJ that it has received a report that the adult is missing. This bill also provides civil immunity to persons who, as participants in this alert program, disseminate alerts regarding missing adults at risk and to persons who assist an adult at risk who is the subject of an alert. For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-75047
CMH:sac:im

Stays

2013 BILL

7-18-13

271611
1MR

- 1 AN ACT *to create* 165.73 and 175.51 of the statutes; **relating to:** an alert system
2 for missing adults at risk and reports to law enforcement regarding missing
3 persons.

Analysis by the Legislative Reference Bureau

The Department of Justice (DOJ) currently administers the Amber Alert System, under which it works with law enforcement agencies, broadcasters, and others to disseminate information regarding certain missing child cases.

This bill creates a statutory requirement that DOJ administer an alert system to disseminate information regarding missing adults who are cognitively impaired if a law enforcement agency notifies DOJ that it has received a report that the adult is missing. This bill also provides civil immunity to persons who, as participants in this alert program, disseminate alerts regarding missing adults at risk and to persons who assist an adult at risk who is the subject of an alert.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 SECTION 1. 165.73 of the statutes is created to read:

BILL**SECTION 1**

1 **165.73 Alert system for missing adults at risk.** (1) In this section, "adult
2 at risk" has the meaning given in s. 175.51 (1).

3 (2) If a law enforcement agency notifies the department under s. 175.51 (3) that
4 it has received a report of a missing adult at risk, the department shall activate an
5 alert for the missing adult at risk. The alert system shall involve a partnership of
6 law enforcement agencies, broadcasters, and other appropriate entities, to rapidly
7 disseminate the information under sub. (3) regarding a missing adult at risk. An
8 alert shall instruct a person with any information related to the missing adult at risk
9 to contact a local law enforcement agency.

10 (3) The information to be disseminated under sub. (2) includes all of the
11 following:

12 (a) The name of the missing adult at risk.

13 (b) A physical description of the missing adult at risk.

14 (c) The last-known location of the missing adult at risk.

15 (d) The time and date that the adult at risk went missing.

16 (e) Any information that the department determines may assist in identifying
17 or finding the missing adult at risk.

18 (f) Any other information provided by the law enforcement agency under s.
19 175.51 (3).

20 (4) (a) Any person disseminating information regarding missing adults at risk
21 as part of the alert system under this section is immune from civil liability for his or
22 her good faith acts or omissions while participating in the system.

23 (b) A person is immune from civil liability for acts or omissions committed while
24 assisting or attempting to assist, or obtaining or attempting to obtain assistance for,

BILL

1 a missing adult at risk who is the subject of an alert under sub. (2) unless the acts
2 or omissions involve reckless, wanton, or intentional misconduct.

3 **SECTION 2.** 175.51 of the statutes is created to read:

4 **175.51 Reports of missing persons.** (1) In this section, “adult at risk” means
5 an adult who has a developmental disability, who suffers from Alzheimer’s disease
6 or dementia, or who suffers from or could, without access to medication, suffer from
7 cognitive impairment if the impairment would likely render the adult incapable of
8 getting to a familiar location without assistance.

9 (2) A law enforcement agency shall accept a report of a missing person if the
10 report is submitted by a family member, whether by blood, marriage, or adoption, of
11 the missing person or by any person responsible for the missing person.

12 (3) If a law enforcement agency takes a report of a missing person who the law
13 enforcement agency determines is an adult at risk, the law enforcement agency shall
14 provide any information that the law enforcement agency determines may help
15 locate the missing adult at risk to the department of justice to enable the department
16 of justice to issue an alert under s. 165.73.

17 **SECTION 3. Initial applicability.**

18 (1) The treatment of section 165.73 (4) of the statutes first applies to acts or
19 omissions committed on the effective date of this subsection.

20 (2) The treatment of section 175.51 of the statutes first applies to reports of
21 missing persons submitted to a law enforcement agency on the effective date of this
22 subsection.

23 (END)

Barman, Mike

From: Field, Adam
Sent: Friday, October 11, 2013 11:44 AM
To: LRB.Legal
Subject: Jacket LRB 2716

Please Jacket LRB 2716 for introduction.

Adam R. Field

Office of Rep. Dean Kaufert
Wisconsin State Assembly